MINUTES

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on March 27, 2009 at 3:00
P.M., in Room 172 Capitol

ROLL CALL

Members Present:
Rep. Art Noonan, Chairman (D)
Rep. Shannon Augare (D)
Rep. Carlie Boland (D)
Rep. Mike Jopek (D)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Llew Jones (R)
Rep. Gary MacLaren (R)
Rep. Scott Reichner (R)
Rep. Wayne Stahl (R)

Staff Present: Bryce Bennett, Committee Secretary
Todd Everts, Legislative Branch

Audio Committees: These minutes are in outline form only. They
provide a list of participants and a record of official action
taken by the committee. The link to the audio recording of the
meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 100

Executive Action: SB 100; SB 417; SB 440; SB 464
SB 475; SB 481

00:01:59 Rep. Reichner arrived.

EXECUTIVE ACTION ON SB 417

00:04:34 **Motion**: Rep. Augare moved that **SB 417 BE CONCURRED IN**.

00:05:00 **Motion**: Rep. Wiseman moved that **SB 417 BE TABLED**.
00:05:11 Rep. Driscoll arrived.

00:06:45 **Vote**: Motion failed 7-7 by roll call vote with
          Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek,
          Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting
          aye. Rep. Jones, Rep. Klock, Rep. MacLaren, and
          Rep. Stahl voted by proxy.

00:07:28 **Vote**: Motion failed 7-7 by roll call vote with
          Rep. O'Hara, Rep. Regier, and Rep. Reichner voting aye.
          Rep. Jones, Rep. Klock, Rep. MacLaren, and Rep. Stahl
          voted by proxy.

00:04:42 Rep. MacLaren arrived.

HEARING ON SB 100

Opening Statement by Sponsor:

00:09:06 Sen. Jerry Black (R), SD 14, opened the hearing on
          SB 100, Increase coal board funding.
00:09:34 Rep. Klock arrived.

Proponents' Testimony:

00:11:08 Sue Olson, Commissioner, Musselshell County Commission
00:18:04 Monty Sealey, City of Roundup
EXHIBIT(feh68a01)
00:29:06 Rep. Duane Ankney, HD 43, Colstrip
EXHIBIT(feh68a02)
00:37:32 William Duffield, Montana Association of Oil, Gas, and
          Coal Counties
00:38:53 Bob Gilbert, Rosebud County/ City of Roundup/ Roundup
          Public Schools/ Musselshell County/ City of Glendive
00:40:30 Bud Clinch, Montana Coal Council
00:42:30 Todd O'Hair, Reo Tinto Energy America
00:43:10 Rep. Tom Berry, HD 45, Roundup

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:44:10 Rep. Regier
00:45:01 Sen. Black
00:45:05 Rep. Regier
00:45:25 Sen. Black
00:45:49 Rep. Regier
00:46:00 Sen. Black
00:46:17 Rep. Jopek
00:46:53 Rep. Ankney
00:47:15 Chairman Noonan
00:48:43 Rep. Ankney

Closing by Sponsor:

00:51:05 Sen. Black
EXHIBIT(feh68a03)

EXECUTIVE ACTION ON SB 440

00:54:30 **Motion**: Rep. Driscoll moved that **SB 440 BE CONCURRED IN**.

00:55:49 **Vote**: Motion failed 7-7 by roll call vote with Rep. Klock, Rep. MacLaren, Rep. O'Hara, Rep. Regier, and Rep. Reichner voting aye. Rep. Jones, Rep. Phillips, and Rep. Stahl voted by proxy.

EXECUTIVE ACTION ON SB 464

00:55:51 **Motion**: Rep. Driscoll moved that **SB 464 BE CONCURRED IN**.

00:56:06 **Vote**: Motion carried 13-1 by roll call vote with Rep. Wiseman voting no. Rep. Jones and Rep. Stahl voted by proxy. Chairman Noonan will carry the bill in the House.

EXECUTIVE ACTION ON SB 475

00:57:15 **Motion**: Rep. Driscoll moved that **SB 475 BE CONCURRED IN.**

00:57:38 **Motion**: Rep. Wiseman moved that **SB 475 BE AMENDED.**
EXHIBIT(feh68a04)

Discussion:

00:57:53 Rep. Wiseman
00:59:37 Rep. Reichner
00:59:49 Rep. Wiseman
01:00:11 Rep. Regier
01:00:26 Rep. Wiseman
01:00:38 Rep. Regier

01:00:56 **Vote**: Motion failed 6-8 by voice vote with Rep. Jopek, Rep. MacLaren, Rep. Noonan, Rep. Phillips, Rep. Regier, and Rep. Wiseman voting aye. Rep. Jones and Rep. Stahl voted by proxy.

Discussion:

01:02:00 Todd Everts, Legislative Services Division (LSD)
01:03:38 Chairman Noonan
01:04:03 Mr. Everts
01:04:19 Chairman Noonan

01:04:26 **Motion**: Rep. Noonan moved that **SB 475 BE AMENDED.**
EXHIBIT(feh68a05)

Discussion:

01:05:06 Mr. Everts
01:07:32 Rep. Phillips
01:07:54 Mr. Everts
01:07:58 Rep. Phillips
01:08:08 Mr. Everts

01:08:38 **Substitute Motion**: Rep. Wiseman made a substitute motion that **SB 475 BE TABLED.**

01:09:36 **Vote**: Motion failed 7-7 with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye. Rep. Jones and Rep. Stahl voted by proxy.

01:09:39 **Vote**: Motion carried unanimously by voice vote.
Rep. Jones and Rep. Stahl voted by proxy.

01:10:02 **Vote**: Motion failed 7-7 by roll call vote with
Rep. Klock, Rep. MacLaren, Rep. O'Hara, Rep. Regier,
and Rep. Reichner voting aye. Rep. Jones and Rep.
Stahl voted by proxy.

EXECUTIVE ACTION ON SB 481

01:10:49 **Motion**: Rep. Driscoll moved that **SB 481 BE CONCURRED
IN**.

01:11:05 **Vote**: Motion failed 7-7 by roll call vote with
Rep. Klock, Rep. MacLaren, Rep. O'Hara, Rep. Regier,
and Rep. Reichner voting aye. Rep. Jones and Rep.
Stahl voted by proxy.

01:12:12 Break
01:14:54 Reconvene

EXECUTIVE ACTION ON SB 100

01:15:05 **Motion**: Rep. Driscoll moved that **SB 100 BE CONCURRED
IN**.

Discussion:

01:15:17 Rep. Klock
01:15:39 Rep. Driscoll
01:16:02 Rep. Augare

01:16:45 **Vote**: Motion failed 7-7 by roll call vote with
Rep. Klock, Rep. MacLaren, Rep. O'Hara, Rep. Regier,
and Rep. Reichner voting aye. Rep. Jones and Rep.
Stahl voted by proxy.

01:17:30 Break
01:21:04 Reconvene

ADJOURNMENT

01:21:13 Adjournment: 4:25 P.M.

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                        Bryce Bennett, Secretary

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Additional Exhibits
EXHIBIT(feh68a06) Letter from Northwestern Energy re: HB 641

Additional Documents:

EXHIBIT(feh68aad.pdf)